

DOWER – The portion of, or interest in, the real estate of a deceased husband which the law gives to his widow for life. The extent varies with statutory provisions. See CURTESY.

DRAINAGE ENTRY – An entry, not exceeding 160 acres, on public lands. Under Federal statutory authority, a non-Federal tax, or drainage charge, is levied against such lands to defray the costs of draining swamp and overflowed lands. Also Drainage Homestead Entry.

DRIFT – In mining, an underground passage driven horizontally along the course of a mineralized vein or approximately so. See SHAFT, TUNNEL, ADIT, CROSSCUT, DRIFT*.

DUE – Directly or exactly; in a cardinal direction with the usual precision of that survey.

E

E (Land Status Records) – East.

EC STATION – 1) Extended control station*. 2) Electronic control station.

EDM – Electronic Distance Measurement.

EDP – Electronic Data Processing.

EFF (Land Status Records) – Effective.

E.G. – An abbreviation of “*exempli gratia*,” which means: For the sake of an example.

EHE (Land Status Records) – Enlarged homestead entry.

ELIM (Land Status Records) – Elimination.

ENLGMT (Land Status Records) – Enlargement.

EO (Land Status Records) – Executive Order.

ES (Land Status Records) – Exchange survey.

ESLO – Eastern States Land Office. The Eastern States Land Office is in Silver Springs, Maryland. (Now designated Eastern States Office, ESO).

ESMT (Land Status Records) – Easement.

ET AL – An abbreviation of *et alii*, “*and others*,” or *et alius*, “*and another*.”

ETC. – The common abbreviation for “*et cetera*.” And others; and other things; and others of like character; and others of like kind; and the rest; and so on; and so forth.

ET CON. – An abbreviation meaning “*and husband*.”

ET SEQ. – An abbreviation for *et sequentes* or *et sequentia*, “*and the following*.” A reference to *p. 3 et seq.* means “*page number 3 and the following pages*.” It is also abbreviated “*et sqq.*,” in some works, when the reference is to more than one following page.

ET UX. – An abbreviation for *et uxor*, “*and his wife*.”

EXCL (Land Status Records) – Excluding, excluded.

EXP (Land Status Records) – Expire(d).

EX REL – (See word listing below).

EXT (Land Status Records) – Extended, extension, extend.

EASEMENT – An interest or right in land owned by another that entitles its holder to a specific limited use; such as laying a sewer, crossing over property or putting up power lines.

EGRESS – A right to go upon the land of another. Often used interchangeably with the word “*access*.” See ACCESS, INGRESS, ENGRESS and REGRESS.

ELDER SURVEY – See SURVEY, ELDER.

ELECTRONIC CONTROL SURVEY – A survey, using theodolites and electronic equipment, whereby a control network is established and monumented to facilitate the placement of the rectangular survey grid. See ELECTRONIC DISTANCE MEASUREMENT*.

ELLCOTT’S LINE – The meridian northward from the point of beginning of the first United States cadastral survey – a point established on August 20, 1785 on the north bank of the Ohio River – was named for Andrew Ellicott, and is known as Ellicott’s Line. It is also the Ohio-Pennsylvania boundary line.

ELLCOTT’S LINE OF DEMARCATION – Andrew Ellicott was appointed by President George Washington to work with Spanish surveyors in running and marking the boundary between Mississippi Territory and Spanish Florida as determined by the treaty dated Oct. 27, 1795. This boundary along the 31st parallel of north latitude is called Ellicott’s Line of Demarcation.

ELONGATED SECTION – A section which exceeds 85 chains in either length or width as originally surveyed and platted.

EMINENT DOMAIN – The right of governmental agencies to take private property for public use.

ENABLING ACT – In reference to admission of new States into the Union, it is an act passed by Congress empowering the people of a territory to frame a constitution and lay down certain requirements that must be met prerequisite to statehood.

ENCROACHMENT – An unlawful and adverse intrusion within the boundary of a property, such as cultivation of the soil, enclosure by fence, the construction of an improvement, extension of a tunnel, underground operation or comparable act.

ENCUMBRANCE – Any right to or interest in land which makes it subject to a charge or liability. Encumbrances include mortgages, judgment liens, attachments, leases, deed restrictions, unpaid taxes, inchoate rights of dower and so forth. See INCHOATE.

END LINE – In mining law, the end lines of a claim, as platted or laid down on the ground, are those which mark its boundaries on the shorter dimension, where it crosses the vein. If the claim as a whole crosses the vein, instead of following its course, the end lines are still the boundaries of the shorter dimension, even though they are along the course of the vein. See SIDE LINE.

ENLARGED HOMESTEAD ENTRY – A homestead entry, not exceeding 320 acres, initiated under the act of Feb. 19, 1909 (35 Stat. 639), or the act of June 17, 1910 (36 stat. 531, 43 U.S.C. sec. 218), which provide for the homesteading of nonirrigable agricultural lands in the West..

ENTRY – An application to acquire title to public lands. See ORIGINAL ENTRY, FINAL ENTRY, CASH ENTRY, and COMMUTED HOMESTEAD ENTRY.

ENTRY ALLOWED – An application to acquire title to public lands which has been approved, either as an original entry or a final entry. See ORIGINAL ENTRY and FINAL ENTRY.

ENTRYMAN – One who makes an entry of land under the public land laws of the United States.

ENTRY UNPERFECTED – An original entry which has been allowed, but under which the entryman has not met all the requirements of the law and/or regulations to permit him to make final entry for patent to the land. See FINAL ENTRY.

EPHEMERIS – Any tabular statement of the assigned places of a celestial body for regular intervals. The current Ephemeris of the Sun, Polaris and Other Selected Stars with Companion Data and Tables, which has been published annually in advance since 1910 as a supplement to the various Manuals of Surveying Instructions, is available through the U.S. Government Printing Office in Washington, D.C.

EQUATION – The relationship between two stationing values for the same point in route surveying such as 123 + 45.6 back = 124 + 00 ahead.

EQUITABLE – 1) Just; conformable to the principles of right and justice. Just, fair and right in consideration of the facts and circumstances of an individual case. 2) Existing, available or sustainable only in equity or by the rules and principles of equity. See EQUITY.

EQUITY – A system of law originating in the English chancery and comprising a settled and formal body of legal and procedural rules and doctrines that supplement, aid or override common and statute law. Rules of equity are designed to protect rights and enforce duties as created and defined by law. In another legal meaning, “*equity*” is the remaining interest belonging to one who has pledged or mortgaged his property, or the surplus of value which may remain after the property has been sold to satisfy liens. The amount of value of a property above the total liens or charges. See COURTS OF EQUITY.

EROSION – In riparian law, the washing away of land by the sea or a river’s flow. Usually considered as an imperceptible action, the rate of erosion may be quite rapid in total effect and may be distinguished from avulsion by the absence of identifiable upland between former and new channels. See RIPARIAN LAW.

ERRONEOUS LOCATION – Where it is evident that lands have been occupied in good faith but boundaries as occupied are clearly in disagreement with the demonstrated position of the legal subdivision called for in the description, it is regarded as a case of “*erroneous location*.” See AMENDED ENTRY.

ERRONEOUSLY OMITTED AREAS – See OMITTED LANDS.

ERRONEOUS MEANDERS – Error or mistake in position rather than in procedure. See MEANDERS.

ESCHEAT – In English feudal law, the reversion of lands to the lord of the fee in consequence of a want of an individual competent to inherit. In modern law, the State is deemed to occupy the place and hold the rights of the feudal lord. Real property may be claimed by the State where there is no will and/or no competent inheritors can be found. Also termed “*escheated property*” or “*escheatage*.” See INTESTATE.

ESCROW – The state or condition of a deed which is conditionally held by a third person, or the possession and retention of a deed by a third person pending performance of a condition. While in the possession of the third person, and subject to condition, it is called an “*escrow*.”

ESTATE – The interest which anyone has in lands or in any other property. “*Estate*” is used in conveyances in connection with the words “*right*,” “*title*” and “*interest*.” It is, in a great degree, synonymous with all of them. See CONVEYANCE, REAL ESTATE, PROPERTY, REAL PROPERTY and PERSONAL PROPERTY.

ESTOPPEL – The stopping of a person from asserting a claim by reason of his own previous representations which refute his new claim. The new claim may in fact be true, however, he may be prevented from exerting that claim by “*estoppel*.” See RES JUDICATA.

EVIDENCE – Testimony, physical objects, marks, traces of former objects or relationship between any of these which may furnish proof or part of a proof of a corner location or line location. See COLLATERAL EVIDENCE.

EVIDENCING OF TITLE – The submission of proof of title to a tract of land as shown by an abstract of the recorded patent and deeds of transfer, inheritance, court decree, or other means of establishing the title.

EXCEPTION – In deeds or conveyances, a clause used by the grantor to retain some part of the former estate by excluding it from the deed or grant. “*Except*” means “*not including*.”

EXCHANGE – A transaction whereby the Federal Government receives land in exchange for other land and/or timber. See PRIVATE EXCHANGE, STATE EXCHANGE and TAYLOR ACT EXCHANGE.

EXCHANGE SURVEY – A Cadastral Survey of lands to be exchanged.

EXISTENT CORNER – A corner whose position can be identified by verifying the evidence of the monument, or its accessories, by reference to the description that is contained in the field notes, or where the point can be located by an acceptable supplemental survey record, some physical evidence or testimony.

EX OFFICIO – From office; powers exercised by an official not specifically conferred on him but necessarily implied in his office.

EXPERT WITNESS – A witness is a person who testifies as to what he has observed by sight, sound etc. An “*expert witness*” may testify additionally as to matters of opinion on subjects within fields for which he is qualified. Thus, a cadastral surveyor may interpret the meanings of the symbols, letters and numbers on a plat but he may say nothing to add to or subtract from the official record, which speaks for itself by definition. See EVIDENCE, TESTIMONY, QUALIFIED (as a witness).

EX REL – Ex Relation; Upon relation or information. Legal proceedings which are instituted by the Attorney General (or other proper person) in the name and behalf of the State, but on the information and at the instigation of an individual who has a private interest in the matter, are said to be taken “*on the relation*” (ex relatione) of such person, who is called the “*relator*.” Such cause is usually entitled thus: “*State ex rel. Doe v. Roe*.”

EXTENSION SURVEY – Executed to add to an existing survey. An “*extension survey*” does not, however, complete a survey of boundaries of townships or sections or the subdivision of a township or a section, it only adds to an existing partial survey. See COMPLETION SURVEY.

EXTINGUISHMENT – To render legally nonexistent; to destroy or render void; to nullify; to void, as by payment, treaty, setoff, or limitation of actions, merger of an interest in a great one, etc. Extinguishment is distinguished from the mere transfer, passing, or suspension of a right or obligation.

EXTRALATERAL RIGHTS – In mining, the right to mine ore downward along a lode or vein beyond the side lines of a mining location (claim). The right is limited to claims which contain the apex of the vein at or very near the surface, which are oriented with the lode line substantially along the vein and which have the end lines substantially parallel. The right does not extend beyond planes passing vertically through the end lines. Extralateral rights of claims filed before May 10, 1872, were determined according to the previous law of 1866 and by miner’s local rules and they were not dependent upon parallel end lines. Various States have modified the Federal requirements. See INTRALIMITAL RIGHTS.

F

F.2d – In a citation, as 22 F.2d 100, means Federal Reporter, Second Series.

FAA (Land Status Records) – Federal Aviation Administration.

FBX MER (Land Status Records) – Fairbanks Meridian.

FC (Land Status Records) – Final Certificate.

FED (Land Status Records) – Federal.

FED – Federal. If shown as a citation [198 Fed. 125 (1912)], it means “*Federal Reporter*.”

FF LSE (Land Status Records) – Fur farm lease.

FFMC (Land Status Records) – Federal Farm Mortgage Corporation.

FHA (Land Status Records) – Farmers Home Administration.

FIS (Land Status Records) – Fissionable materials.

FL – Florida.